

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
TRANS-SPEC TRUCK SERVICE, INC.)	
D/B/A TRUCK SERVICE)	
)	
Plaintiff,)	
)	C.A. NO.: 04-11836RCL
v.)	
)	
CATERPILLAR, INC.)	
)	
Defendant.)	
_____)	

DEFENDANT CATERPILLAR INC.'S CERTIFICATION PURSUANT TO L.R. 16.1(D)(3)

The undersigned counsel for Defendant Caterpillar Inc. ("Caterpillar") hereby certifies that he has conferred with Caterpillar pursuant to Local Rule 16.1(D)(3) regarding the following: (a) with a view to establishing a budget for the costs of conducting the litigation in this matter through trial, as well as the costs of conducting the litigation through alternative courses such as alternative dispute resolution; and (b) to consider the resolution of this litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.

CATERPILLAR INC.

By its Attorneys,

CAMPBELL CAMPBELL EDWARDS &
CONROY, P.C.

/s/ Christopher R. Howe

Richard P. Campbell, Esquire, BBO #071600
Christopher R. Howe, Esquire, BBO #652445
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One Constitution Plaza
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Dated: October 25, 2004

CERTIFICATE OF SERVICE

I, Christopher R. Howe, counsel for the defendant, Caterpillar Inc., hereby certify that on October 25, 2004, I served a true copy of the above document by causing a copy to be faxed and mailed, by first class mail, postage prepaid, to the plaintiff's attorney, Nancy Reimer, Esquire, Donovan Hatem, LLP, Two Seaport Lane, Boston, MA 02210.

/s/ Christopher R. Howe

Christopher R. Howe